**DECLARATION FOR NON-PROVISIONAL PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

**CONTAINER FOR A FLOWABLE PRODUCT, PROCESS  
OF MANUFACTURE AND THE USE THEREOF**

and for which a patent application:

- ☒ is attached hereto and includes amendment(s) filed on \_\_\_\_\_ (if applicable)  
☐ was filed in the United States on as Application No. \_\_\_\_\_ (declaration not accompanying application) with amendment(s) filed on \_\_\_\_\_ (if applicable)  
☐ was filed as PCT international Application No. \_\_\_\_\_ on \_\_\_\_\_ and was amended under PCT Article 19 on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
0113221	France	October 12, 2001	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

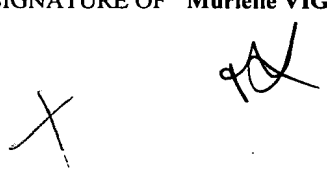
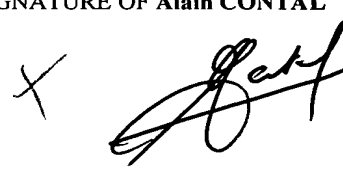
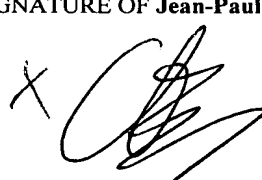
PROVISIONAL APPLICATION NUMBER	FILING DATE


I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

NON-PROVISIONAL APPLICATION NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED
PCT/EP02/11411	October 10, 2002		X	

\* for use only when the application is assigned to a company, partnership or other organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

201	FULL NAME OF INVENTOR	LAST NAME <b>VIGNY</b>	FIRST NAME <b>Murielle</b>	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY <b>Taunusstein-Wehen</b>	STATE OR FOREIGN COUNTRY <b>Germany</b>	COUNTRY OF CITIZENSHIP <b>France</b>	
	POST OFFICE ADDRESS	STREET <b>An den Freiäckern, 4</b>	CITY <b>Taunusstein-Wehen</b>	STATE OR COUNTRY <b>Germany</b>	ZIP CODE <b>D-65232</b>
		SIGNATURE OF <b>Murielle VIGNY</b> 		DATE <b>13/05/2004</b>	
202	FULL NAME OF INVENTOR	LAST NAME <b>CONTAL</b>	FIRST NAME <b>Alain</b>	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY <b>Epinal</b>	STATE OR FOREIGN COUNTRY <b>France</b>	COUNTRY OF CITIZENSHIP <b>France</b>	
	POST OFFICE ADDRESS	STREET <b>20, rue Côte Champion</b>	CITY <b>Epinal</b>	STATE OR COUNTRY <b>France</b>	ZIP CODE <b>F-8800</b>
		SIGNATURE OF <b>Alain CONTAL</b> 		DATE <b>03/05/2004</b>	
203	FULL NAME OF INVENTOR	LAST NAME <b>CERVENY</b>	FIRST NAME <b>Jean-Paul</b>	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY <b>Vittel</b>	STATE OR FOREIGN COUNTRY <b>France</b>	COUNTRY OF CITIZENSHIP <b>France</b>	
	POST OFFICE ADDRESS	STREET <b>363, allée du Luxembourg</b>	CITY <b>Vittel</b>	STATE OR COUNTRY <b>France</b>	ZIP CODE <b>F-88800</b>
		SIGNATURE OF <b>Jean-Paul CERVENY</b> 		DATE <b>24/05/2004</b>	

2 0 4	FULL NAME OF INVENTOR	LAST NAME <b>DENIS</b>	FIRST NAME <b>Gérard</b>	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY <b>Reims</b>	STATE OR FOREIGN COUNTRY <b>France</b>	COUNTRY OF CITIZENSHIP <b>France</b>	
	POST OFFICE ADDRESS	STREET <b>1 bis, rue Jules Hansen</b>	CITY <b>Reims</b>	STATE OR COUNTRY <b>France</b>	ZIP CODE <b>F-51100</b>
	SIGNATURE OF <b>Gérard DENIS</b> 			DATE <b>26/04/2004</b>	

NY:852805.1



# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Application of: Murielle VIGNY et al.

Confirmation No.

Application No.:

Group Art Unit:

Filing Date:

Examiner:

For: CONTAINER FOR A FLOWABLE PRODUCT,  
PROCESS OF MANUFACTURE AND THE USE  
THEREOF

Attorney Docket No.: 88265-7404

## **POWER OF ATTORNEY BY ASSIGNEE AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints Allan A. Fanucci (Reg. No. 30,256) and Daniel J. Hulseberg (Reg. No. 36,554) of WINSTON & STRAWN LLP (Customer No. 28765) to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith.

Please direct all correspondence for this application to Customer No. 28765 to the attention of Allan A. Fanucci (telephone 212-294-3311, facsimile 212-294-4700).

An assignment of the entire interest in the above-identified subject application:

- ☐ is submitted herewith for recording and a copy is attached.
- ☐ was submitted for recordation on \_\_\_\_\_ and a copy is attached.
- ☐ was recorded on \_\_\_\_\_ at Reel \_\_\_\_\_, Frame \_\_\_\_\_.

The undersigned has reviewed this assignment and, to the best of his/her knowledge, title is in the assignee seeking to take action in this application and that he/she is empowered to act on its behalf.

ASSIGNEE: **NESTLE WATERS MANAGEMENT & TECHNOLOGY**

Signature:

Date of Signature:

14/4/04

Typed Name:

Frits VAN DIJK

Position/Title:

Executive Vice-President

Address:

20, rue Rouget de Lisle, F-92130, Issy-Les-Moulineaux, France

## ASSIGNMENT

WHEREAS, each of

**Murielle VIGNY**, a citizen of France, residing at,  
An den Freiäckern, 4, D-65232 Taunusstein-Wehen, Germany;

**Alain CONTAL**, a citizen of France, residing at,  
20, rue Côte Champion, F-8800 Epinal, France;

**Jean-Paul CERVENY**, a citizen of France, residing at,  
363, allée du Luxembourg, F-88800 Vittel, France; and

**Gérard DENIS**, a citizen of France, residing at,  
1 bis, rue Jules Hansen, F-51100 Reims, France.

ASSIGNOR, is an inventor of the invention in **CONTAINER FOR A FLOWABLE PRODUCT, PROCESS OF MANUFACTURE AND THE USE THEREOF**, for which an application for a Patent of the United States, identified by Winston & Strawn Docket No. **88265-7404**.

- ☒ is executed on even date herewith  
☐ was filed on \_\_\_\_\_ as Application No. \_\_\_\_\_.

WHEREAS, **NESTLE WATERS MANAGEMENT & TECHNOLOGY**, having a place of business at 20, rue Rouget de Lisle, F-92130, Issy-Les-Moulineaux, France, ASSIGNEE, is desirous of obtaining each inventor's entire right, title and interest in, to and under the said invention and the said application.

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to each inventor in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, each ASSIGNOR has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, his or her entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof;

And each ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks of the United States, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument;

And each ASSIGNOR hereby covenants and agrees that he or she has the full right to convey the entire interest herein assigned, and that he or she has not executed, and will not execute, any agreement in conflict herewith;

And each ASSIGNOR hereby further covenants and agrees that he or she will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to him or her respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, and reissue applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention;

And each ASSIGNOR hereby authorizes the ASSIGNEE's patent attorney to complete this form by the addition of the application number, application filing date, and attorney docket number, if necessary.

In witness whereof, each inventor has affixed his or her signature.

13 / 05 / 2004  
Date

X [Signature]  
Murielle VIGNY

On this 13 day of May, 2004, before me, Witness, personally appeared **Murielle VIGNY**, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

1 [Signature]  
Witness Cécile VILLETIN


03 / 05 / 2004  
Date

X [Signature]  
Alain CONTAL

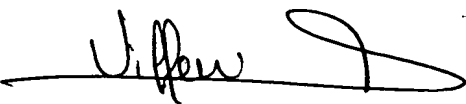
On this 3 day of May 2004, 2004, before me, Witness, personally appeared **Alain CONTAL**, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

X [Signature]  
Witness

6 20/4 2004  
Date

X   
Jean-Paul CERVENY

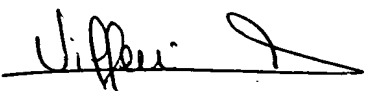
On this 20<sup>th</sup> day of April, 2004, before me, Witness, personally appeared **Jean-Paul CERVENY**, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

X   
Witness Cécile VILLEMEN

26/04/2004  
Date

X   
Gérard DENIS

On this 26<sup>th</sup> day of April, 2004, before me, Witness, personally appeared **Gérard DENIS**, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

X   
Witness Cécile VILLEMEN